28: Tessman--361 [3] (No date) 1930 Jivaro
116, 682

Murderous acts and cases of homicide occur within the smallest circles. Occasionally, a husband kills, when he catches his wife's seducer in flagranti. To escape punishment, a murderer always flees; but after a long period of time he is allowed to return and has to pay. This settles the affair.

32:Harner E-5 (1956-1957) 1962 SD9 Jivaro SD9

future generations of Jívaro. At the same moment that these arutam souls are "born," the second type of Jívaro soul comes into existence if the deceased person was murdered.

THE MUISAK[13]

The second kind of soul, the muisak or avenging soul, is closely connected with the arutam soul. Only a person who has had an arutam soul is capable of forming a muisak. Furthermore, a muisak comes into existence only when a person who has seen an arutam is killed, whether by natural or supernatural means. At the time of death of such a person his avenging soul is created and leaves his corpse through its mouth.[14] If one simply dies of contagious disease or of old age (the latter believed to be a rare occurrence), no muisak is created.

The sole reason for being of a person's muisak is to avenge his death. This soul therefore attempts to kill the murderer, or if this is not possible (due to the murderer having an arutam soul), a son or wife of the murderer. The muisak is occasionally distracted from this objective, out of jealousy, to kill instead a new spouse of his widow. Because of this latter danger, young men who have not yet acquired much arutam power tend to avoid marrying widows.

Technically, the avenging soul is only called a muisak while it is in the corpse, subsequently in the shrunken head trophy (*tsantsa*), or its immediate vicinity. When the human head trophy is not taken and prepared, the muisak is able to travel as far as it likes from the corpse and to form into one of three types of *iwančI* or demons. These three demons are forms of the natural non-human world that can kill a man. One is a particularly dangerous poisonous snake (*makančI*). Another is the water boa constrictor or anaconda (*paŋi*) which can knock over the raft or canoe of the murderer and thereby cause him to drown in the rapid waters of one of the numerous fast-flowing rivers and streams of this hilly country. The third form is a large tree in the forest which falls on the victim and crushes him. These are the three traditional forms of death in Jívaro society which might be called "accidental" in other cultures. Since the introduction of the steel bush knife or machete and of firearms, a belief has been growing that a muisak can enter into these items to cause an "accidental" fatal wound. The Jívaro view slight self-inflicted wounds as true accidents, but grave or fatal self-inflicted wounds are always believed to be the results, respectively, of murder attempts or murders through supernatural mechanisms.

Before the avenging spirit or iwančI kills the murderer, it sometimes appears to him in the form of a man or a jaguar while he is sleeping. The sleeper tries to seize his firearm or lance (which he keeps on the bed beside him at night) to kill the apparition. Failure to do so will result in the demon eventually succeeding in killing the person. Sometimes this iwančI fails in its assassination attempt, only wounding or injuring the intended victim. In such cases, the victim becomes a permanent invalid.

When the demon has performed its act of vengeance, it then appears in

34:Harner E-4, 5 (1956-1969)1973 SD9 Jivaro SD9

relevant written records makes it almost impossible to judge its actual demographic effects.

Informants report that a significant new disease in the interior is gonorrhea, which they say was brought to the Upano Valley Jívaro by Colombians during the rubber boom at the beginning of this century and has only recently crossed the Cutucú range. The Colombians were also said to have brought mumps. Interestingly, although smallpox epidemics are known in the Upano region, the interior Jívaro east of the Cordillera de Cutucú do not recall the disease ever having spread to them. Tuberculosis is said to have been completely unknown anywhere in the Jívaro country until the colonists from Azuay moved in, but is now common.

The demographic trends among the interior Jívaro thus are sketchy and conflicting. On the one hand, there has been a definite growth through in-migration from the Upano Valley in the face of the advancing white population; but on the other hand, a high incidence of mortality has apparently occurred, especially among the very young and the elderly, as a result of serious epidemics of introduced contagious disease. Another imponderable demographic factor is the shift that has occurred during the past half-century from large-scale headhunting wars with other tribes, in which men, women, and children were all killed, to an emphasis on individual assassination within the tribe directed primarily at adult males. Given the various conflicting trends and uncertainties involved, about all that seems clear is that there is no obvious overall trend of population growth or decline among the interior Jívaro during the first half of the twentieth century. The area occupied by them, however, does seem to have expanded.

In addition to the Río Upano and the Cutucú mountain

34:Harner E-4.5 (1956-1969)1973 SD9 Jivaro SD9

Chapter V

LAW, FEUDING, AND WAR

538

I was born to die fighting.

Jívaro saying

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On an abstract level, there is near unanimity among the interior Jívaro as to what is correct, normative social behavior. In any specific case, however, there is usually radical disagreement as to whether a particular anti-social act was justified as a punitive sanction in reprisal for some past offense, or whether it was, in fact, an unjustified act which itself deserves the application of retaliatory punitive sanctions. This situation, of course, is quite understandable in a society where there is no state, no chiefdom, no corporate kin groups, and, really, no locus of authority which can impose judicial decisions and enforce them.

An additional factor of no minor significance is that a high proportion of persons who have been accused of hostile acts probably did not commit them at all, but there is no way of satisfactorily demonstrating their "guilt" or "innocence." This situation is primarily due to the tremendous emphasis among the Jívaro on ascribing almost all non-epidemic illnesses and deaths, and non-violent deaths, to witchcraft and poisoning. The fundamental assumption, not surprising in the absence of modern medical knowledge and in the presence of the tensions previously discussed, is that bewitching shamans are continually attacking one's person and family. This leads, in the cases of assumed witchcraft death, to punitive retaliatory sanctions, in the form of homicide, against the presumed

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626 754 • 682 [276] [787] [628] [721] bewitchers. With the guilt determined through divination with the aid of a hallucinogenic drug, and the subsequent vengeance probably wreaked on the wrong person (even if one believes in witchcraft deaths), it is clear that the shamanistic beliefs and practices have repercussions which heighten the sense of outrage and injustice that permeates the society and sets household against household. Under these circumstances, Jívaro witchcraft clearly promotes rather than decreases physical violence.

626 [682] [278] Although not believed by the Jívaro to be quite as pervasive an activity as bewitching, assumed poisoning in beer or in food likewise engenders retaliatory action through physical violence, even though, as in the case of witchcraft, the person believed to be guilty is, more likely than not, probably innocent. Under these conditions, then, the relatively clear-cut and consensually approved rules concerning offenses and sanctions regarding human life, sexual relationships, inheritance of women, and other less emphasized areas of dispute, have only limited utility in promoting social harmony and tranquillity.

626 602 593 69 Since there is no formal political or kin organization, the Jívaro apply sanctions against alleged violators of the norms purely by means of informal partisan action. The aggrieved party, together with those relatives willing to support him, takes upon himself the responsibility for punishing the person or persons he believes to be guilty of an offense against him or a close member of his family.

The determination of guilt in a specific case and of the proper sanction for a specific offense is a rather individualistic matter, with a significant degree of variability existing in case histories of even a single type of offense. The emphasis in the present description will be on the general pattern of offenses and sanctions, rather than on deviations from the norms.

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Rights, Offenses, and Sanctions

It is considered wrong to kill or injure other persons within the tribe unless it is to punish someone for a similar act, in which case precise equivalence in retribution is justified. Most deaths are considered to be cases of homicide, whether through actual physical violence (including poisoning), bewitching, or by avenging souls (*muisak*) of the dead. While no retaliation is attempted in the case of deaths believed to be caused by *muisak*, retaliation by assassination is definitely considered to be in order when a member of one's conjugal family is murdered through physical violence or witchcraft.

According to Jívaro norms, approved sanctions are an approximation of equivalent retaliation against the guilty party himself or a member of his immediate family, such as a brother, wife, or child. Thus the sanction against homicide is homicide. Although such sanctions are directed primarily at adult males, partially because it is not considered particularly honorable or desirable to kill women or children within the tribe, the punitive assassins may kill their intended victim's wife or child if they fail to find him at home when they make their vengeance raid. It is also considered completely proper to kill a woman or child if the act is in retaliation for the previous murder of a woman or child. Great pains are usually taken to kill only one person in retaliation for one murder. This situation of intra-tribal retaliation on a one-to-one basis should be clearly distinguished from the head-taking raids against the Achuara tribe, which involve killing as many of the "aliens" as possible.

If there is a considerable lapse of time before administering a sanction, the guilty party may, after a few years, send

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628 a shotgun to the aggrieved party as a compensation to termi-
• 682 nate the matter. If the aggrieved party, primarily considered
728 to be the eldest male of the murdered man's conjugal family,
[431] accepts this gift, then the gift-receiver takes the responsibility for seeing that his kinsmen consider that the matter is finished. He warns the other relatives of the dead man that if they attempt to kill the gift-giver for the old offense, they will have to fight him (the gift-receiver) as well.

628 While sanctions against murder by physical violence are,
682 in return, expected to be by physical violence, punitive assas-
754 sination of one who has murdered through bewitching may be either by means of sorcery or physical violence. Normally, the sanction for a first murder offense by means of sorcery is also assassination by sorcery. For a second homicidal sorcery offense, physical violence is considered to be the more proper sanction.

682 The importance of the concept of equivalent retaliation
562 is indicated by the sanction considered proper when a man is
278 poisoned by a woman. Poisoning (one of the favorite forms of murder) is done almost exclusively by women, since they alone prepare and serve the food and beer to guests. When a man is fatally poisoned, the aggrieved family may not attempt to kill the guilty woman, if they feel that the death of a woman would be inadequate to compensate for the death
[593] of a man. In such a case, they assume that the proper sanction is to poison the guilty woman's brother. Often, however, the vengeance is wreaked directly on the woman believed responsible. They usually have to wait several years in order to catch the victim off guard at a feast in order to poison him or her successfully.

[754] In both poisoning and sorcery, there is the problem of
[727] properly identifying the guilty party. Most poisoning is done at the large *tsantsa* victory feasts, where a dozen or more

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women of different households are continually circulating among the guests serving manioc beer. The poisoner, under such circumstances, is very difficult to detect. The family of the victim, however, invariably accepts the opinion of the dying victim as to the identity of the guilty party, and her brother is marked for death.

A curing shaman who has attempted unsuccessfully to cure a fatal case of sorcery is expected to tell the deceased's survivors the identity of the bewitching shaman. Sometimes the shaman does so, but at least as often he simply says that the fatal magical dart came from a shaman "far away" whom he cannot recognize. In this way, informants say, the shaman avoids the reprisals which might result against himself if he were to name a specific Jívaro as the guilty party.

It is not believed proper to assassinate personally a brother or trading partner in retaliation even for the murder of one's wife or child, although cases do occur. The more common approach to administering the punishment is for the aggrieved party to plan and organize the avenging raid without actually participating. In such a situation, a non-related or distantly related *kakaram* may be invited to come and carry out the assassination.

Murder by witchcraft requires the sanction of homicide by physical violence, but most non-fatal illnesses ascribed to witchcraft do not usually evoke retaliation. One reason is that normally a curing shaman does not reveal the identity of the bewitcher except in fatal cases. When retaliation is desired for non-fatal witchcraft illnesses, the recovered patient hires a bewitching shaman to bewitch the original bewitcher.

Sexual offenses, with the exception of wife-stealing, normally do not involve the sanction of homicide. The punishment varies in specific instances, but most commonly consists of slashing the forehead and scalp of the offender with a ma-

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a few hundred feet apart who agreed to consider a small stream which ran between their houses as a boundary for purposes of clearing land for their wives' gardens. 423

Feuding

Due to the retaliatory nature of Jivaro legal sanctions, the application of any avenging action is likely to initiate long and drawn-out hostilities between two groups of kinsmen. This pattern of repeated application of sanctions by two families against one another is a dominant preoccupation in interior Jivaro life. 578 628 682

Such feuding is a state of mind as much as a pattern of overt behavior. Both of the parties concerned feel that the other family has not been properly punished for past wrongdoings. These feelings are evident from the daily conversations in which individuals continually remind their families of the wrongs committed against them or their close relatives. At the same time they stress their own personal interest in maintaining peace. This avowed personal desire for peace is apparently intended in part to impress the listener with the non-malicious character of the speaker. Despite common avowals of peaceful intentions, however, hostile acts are committed sufficiently often that throughout the interior region house doors are generally barred at night, men sleep with their guns at their sides, rarely go more than a few hundred feet from their houses without weapons, and when visiting another family, expect their hostess to sample the beer, before she serves it, to prove it is not poisoned. In households that are momentarily expecting an assassination raid against them, no one ventures outside the house after dark under any circumstances, and bodily needs are attended to on the floor of

34:Harner E-4.5 (1956-1969)1973 SD9 Jivaro SD9

578 the house, the soiled spot to be dug up and removed the next
628 day.

682 The initiation of a feud does not formally occur until one of the parties sends the message to the other, "Let us fight
[684] with guns. . . ." Such a message is sent normally after the two parties have (or are alleged to have) each poisoned or bewitched one of the opposite group or to have stolen a wife from it. The first party to have allegedly poisoned, bewitched, or to have stolen a wife, then sends the formal invitation to have recourse to guns. Such an invitation is unnecessary in cases where homicides have already been effected by force of arms. This invitation is not a warning of an attack, since generally three to five years then pass before the assassination attempt actually occurs. Rather, it is a public statement of the legal justification for an attack at some future time. The actual assassination raid itself, when it does occur, is conducted in the utmost secrecy.

762 In view of the emotional intensity of the feuding, it is not
[628] surprising that when a man "no longer wants to live," he
[682] does not commit suicide in the ordinary sense, but rather suddenly starts leading assassination raids against the men who are his enemies, insisting on taking the principal risks, such as being the first to charge into the enemy's house. Sooner or
[774] later, of course, he will himself be killed, which apparently
[778] surprises no one, since his self-destructive bent is seen as evidence that he no longer possesses an *arutam* soul. That this kind of "suicide" appeals to Jívaro men is indicated by the fact that while cases of it are fairly well known, not a single one could be found of self-inflicted suicide by a male. In contrast, self-inflicted suicide by women, mainly by hanging from a house beam, is relatively common. Acts of suicide
[593] by women occurred, according to informants of both sexes,
[684] when they were consistently treated badly and beaten by their

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178 curred in the case of techniques used to obtain *arutam* souls.
774 First, a former method of encountering *arutam* has vir-
778 tually disappeared. It involved walking a specially prepared
[714] straight and wide trail alone at night armed only with a wooden shield and magical staff. The disappearance of this technique is ascribed to the abandonment of wooden shields as a functional item of warfare following the adoption of
[787] firearms. Second, *Banisteriopsis*, as opposed to *Datura*, has
276 become less commonly used to see *arutam*, a change attrib-
824 uted to the fact that the increasingly numerous shamans
756 have been using up the available supply of *Banisteriopsis*.
755 Furthermore, because of the shortage of *Banisteriopsis*, families tend to reserve the known vines (wild or cultivated) for use by shamans when they come to cure family members believed to be suffering from bewitching.

178 A very few individuals among the interior Jivaro are
775 beginning to consider the possibility that the "true" or
774 "ordinary" souls (*nekás tsakami*) may go to the interior of the active volcano Sangay at a person's death, a belief transmitted
823 from the frontier Jivaro, who learned the idea from Catholic
177 missionaries. The latter use the volcano's name in Jivaro,
797 Tuyurá, as a synonym for Hell. This was one of the few ideological items among the interior Jivaro clearly ascribable to Western cultural influence.

178 A strong rise in interpersonal offenses and the application
• 682 of retaliatory sanctions is reported for the past four or five
754 decades. The increase is particularly strong in the cases of adultery and murder by means of witchcraft, physical violence, and poisoning. The increase in shamanistically induced murders is primarily attributed to the growth in numbers of shamans attempting to accumulate wealth in the form of "white man's valuables." The rise in murders or assassinations through shooting or poisoning is seen by the Jivaro

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partially as a retaliatory response to the growth in fatal bewitchings.

The rise in adultery is attributed to the tendency of young men not to work as hard as in former decades and instead to spend their time visiting other households to drink beer, look for sexual partners, and perhaps obtain trade goods through making "friends." This increase in intra-neighborhood visiting and shamanism may be due to the greater leisure time available for the men since the introduction of steel cutting tools, but informants themselves primarily ascribe the trends in visiting and shamanism to the young men's fixation on the acquisition of the "white man's valuables," particularly firearms, and a resultant de-emphasis on hard physical work, especially in land clearing.

The growth in witchcraft, and of the sanctions applied against it, has resulted in an intensification of the traditional Jivaro feuding pattern during the past half-century. The Jivaro partially ascribe this intensification to the decline of inter-tribal head-taking raids which they themselves recognize as having been an activity which acted as an outlet for men who wished to engage in killing. Today, because of the trade-derived inhibitions against raids on the Achuara, killings and protracted feuding have become more frequent within the Jivaro tribe and even within the neighborhood.

Inter-tribal head-taking raids, i.e., "war," in contrast, have declined steadily both in frequency and size for about the last four to five decades. Today usually not more than one such expedition takes place every year, and a war party rarely exceeds forty warriors, whereas at the turn of the century such expeditions apparently were almost monthly attacking the Achuara, and an estimated four hundred to five hundred warriors sometimes took part in a single raid.

The decline in inter-tribal warfare is attributed to the